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Attorneys for Serota Islip NC LLC

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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In re:

Chapter 11

Case No. 23-13359 (VFP)

BED BATH & BEYOND, INC., et al. ¹

(Jointly Administered)

Debtors.

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**APPLICATION FOR PAYMENT OF ADMINISTRATIVE
EXPENSE CLAIM OF SEROTA ISLIP, NC, LLC**

Serota Islip NC LLC (the “Landlord”), the counterparty to the unexpired lease of non-residential real property (the “Lease”) set forth on Exhibit A, by and through its undersigned counsel, hereby submits this request (the “Request”) for payment of its administrative expense claim that is due and owing under the lease, which was rejected effective July 31, 2023 pursuant to the Eighth Order Approving the Rejection of Certain Executory Contracts and/or Unexpired

¹ The last four digits of Debtor Bed Bath & Beyond, Inc.’s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor’s tax identification number may be obtained on the website of the Debtors’ claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of the Debtor Bed Bath & Beyond, Inc.’s principal place of business and the Debtor’s service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

Leases and the Abandonment of Certain Personal Property, (the "Rejection Order"),² and states as follows:

1. Amount of Claim: The Landlord's administrative expense claim for amounts due and owing by the Debtor to the Landlord is set forth on Exhibit A attached hereto.
2. Basis for Claim: Bankruptcy Code Sections 365(d)(3), 503(b)(1)(A) and 507(a)(2).
3. Backup for Claim: Exhibit A, Exhibit B, and Exhibit C, attached hereto, and Administrative Proof of Claim Number 16682, filed with Kroll Restructuring Administration on August 29, 2023, a copy of which is annexed hereto as Exhibit D.
4. Reservation of Rights: The Landlord reserves all rights with respect to its administrative expense claim, including but not limited to, the right to amend and supplement its claim to include additional post-petition amounts including, rents, taxes, interest, adjustments, costs and attorneys' fees as provided for under the Lease. The Landlord also reserves its right to file additional administrative expense claims for accrued, but unbilled adjustments, including year-end adjustments, when such amounts are billed.
5. Right to Amend: The Landlord specifically reserves its right to amend or supplement this Request for any purpose.

Dated: East Meadow, New York
October 13, 2023

CERTILMAN BALIN ADLER & HYMAN, LLP.
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² Docket No. 1907

